

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

THOMAS JONES, #1772936

§

VS.

§

CIVIL ACTION NO. 6:14cv169

DWAYNE DEWBERRY, ET AL.

§

ORDER OF DISMISSAL

Plaintiff Thomas Jones, an inmate previously confined at the Michael Unit of the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed the above-styled and numbered civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was directly assigned to United States Magistrate Judge John D. Love, who issued a Third Report and Recommendation concluding that the Defendants' motion for summary judgment limited to Plaintiff's failure to exhaust his administrative remedies should be granted. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Plaintiff, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the Defendants' motion for summary judgment limited to Plaintiff's failure to exhaust administrative remedies (docket entry #30) is **GRANTED** and the lawsuit is **DISMISSED** with prejudice. It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

So ORDERED and SIGNED this 4th day of December, 2014.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE